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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,831	09/30/1999	VINCENT P. FOX	EN999063	5935

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EXAMINER

BORISSOV, IGOR N

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 04/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/409,831

Applicant(s)

FOX ET AL.

Examiner

Igor Borissov

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 10-15, 17-21, 23, 24, 26, 27 and 29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-15, 17-21, 23, 24, 26, 27 and 29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

Claim Rejections under 35 USC § 112 has been withdrawn.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 10-15, 17-21, 23-24, 26-27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama (U. S. 4,851,999) in view of publication Three Way Match Requirement for All Procurement Component Payment by Minnesota Departments of Finance and Administration.**

Moriyama teaches general-purpose management method and system, comprising:

#### *Independent Claims.*

**As per claims 10, 15, 21, 24 and 27,**

providing one or more transactional files (Figs. 4a, 4b and 5b; column 3, lines 42-51);

periodically inquiring to determine if a new goods received receipt (GRA) is present in a database (Fig. 5b; column 3, lines 40-47; column 10, lines 39-63);

performing logical operations (column 3, lines 40-47; column 7, lines 16-18, 56-57).

Moriyama does not specifically teach that the logical operations include performing a logical three-way match between each invoices, goods received receipts and purchase orders.

The publication Three Way Match Requirement for All Procurement Component Payment by Minnesota Departments of Finance and Administration, which appears to

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be published on June 29, 1995 (Hereafter referred as Three Way Match Requirement), teaches the three way match process comprising a logical three-way match between each invoice, one or more goods received receipts, and one or more purchase orders, and wherein said logical three-way match is performed by comparing a GRR number on each said invoice with a GRR number on said one or more GRR, a unit price on said one or more GRR with a unit price on each said invoice, and a quantity on each said invoice with a quantity on said one or more GRR, and wherein an equal comparison of either said GRR number, or said unit price, or said quantity shall constitute said match was found, including generating logical results of said three-way match (See entire reference).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama by adding the three way match process capability, because it would increase the efficiency of the system by allowing to process all procurement component payments regardless what was received first: the packing slip or invoice. Also, generating logical results of said three-way match obviously indicate storing said logical results of said three-way match.

*Dependent Claims.*

**As per claims 12 and 14**, generating logical results of said three-way match obviously indicate storing each matched or unmatched invoice and each GRR (Three Way Match).

**As per claims 13, 20, 23, 26 and 29**, Moriyama teaches said method and system, comprising storing purchase orders in the database (column 3, lines 42-51).

**Dependent claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama and Three Way Match Requirement.**

**As per claim 11**, Moriyama and Three Way Match Requirement teach all the limitations of claim 11, except for removing an unmatched invoice after a predetermined period of time.

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Official notice is taken that it is well known in database management to delete unused information after predetermined period of time.

Therefor, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama and Three Way Match Requirement to include removing an unmatched invoice after a predetermined period of time, because it would allow to effectively use space in a database, thereby decrease cost for database maintenance.

**Dependent claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama and Three Way Match Requirement in view of Call (U. S. 5,913,210).**

**As per claims 17 and 18**, Moriyama and Three Way Match Requirement teach all the limitations of claims 17 and 18, except that said entry means are provided via EDI 850.

Call teaches a method and apparatus for disseminating product information via Internet comprising a mechanism for exchanging business documents in standard format between computers, such as Electronic Data Interchange (EDI). For example, EDI 850 purchase order transaction can be implemented (column 12, lines 1-16).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama and Three Way Match Requirement by including means for electronic entry via EDI 850, because it would decrease processing time per order and, thereby, decrease cost to operate the system.

**Dependent claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama and Three Way Match Requirement in view of Remington et al. (U. S. 6,070,150).**

**As per claim 19**, Moriyama and Three Way Match Requirement teach all the limitations of **claim 19**, except that said database tool is SAP.

Remington et al. teach electronic bill presentment and payment system employing SAP as bill analysis and business accounting software (column 13, lines 60-67; column 14, line 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama and Three Way Match Requirement by adding SAP as database tool, because it would decrease processing time per order as well as increase the adaptability and reliability of said system.

### ***Response to Arguments***

Applicant's arguments filed 01/08/04 have been fully considered but they are not persuasive.

In response to the Applicant's argument that "Three Way Match" reference (Publication) includes two additional articles: "Paying a CSO DOC Type" and "Create A Central Stores Order For Stocked Merchandise", which examiner relied on, but where not made references of record, examiner agreed to include said two additional publication in Form PTO-892 to clear up the matter.

In response to Applicant's argument that said two additional articles appear to be published on February 2, 2001, and therefor can not be properly used as prior art, examiner points out that both said additional articles have "last revised" date of 7/17/97, which predates the application effective date of 9/30/99 (See: "Paying a CSO DOC Type", page 3, last lane; "Stocked Merchandise", page 3, last lane).

In response to Applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in

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the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both references relate to financial and inventory management system, wherein three match requirement procedure of the Publication would enhance the performance of Moriyama' system by providing matching purchase orders, receipt of goods/services and invoices. (See discussion above).

In response to Applicant's argument that the Publication does not teach how the match process is performed, examiner points out that the Publication does, in fact, teach the logical three way match process, and, specifically, describes in details said three way match process employing comparison of "invoice numbers", "quantity" and "unit prices" indications (See the entire Publication and discussion above).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 305-4649.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308-2702.

Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks***


***Washington D.C. 20231***

or faxed to:

**(703) 872-9306** [Official communications; including After Final  
communications labeled "Box AF"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7<sup>th</sup> floor receptionist.

EB

  
**JOHN G. WEISS**  
**SUPERVISORY PATENT EXAMINER**  
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